

States in section 101(1) of this revised title and to reflect the opinion of the Comptroller General in B-139624, June 29, 1959, that Alaska was not included within those words. The words “an agent of the United States” are substituted for the words “the Government”, for clarity. The words “United States” are substituted for the word “Government”. The words “of the uniformed services” are omitted as surplusage in view of the definition of member in section 101(23) of this revised title.

AMENDMENTS

2002—Subsec. (e). Pub. L. 107-314 struck out subsec. (e) which read as follows: “In this section, the term ‘continental United States’ means the 48 contiguous States and the District of Columbia.”

1991—Subsec. (a)(1) to (3). Pub. L. 102-25 struck out “of this section” and “of this subsection” wherever appearing.

1987—Subsec. (e). Pub. L. 100-26 inserted “the term” after “In this section.”

1980—Pub. L. 96-342 completely revised and expanded provisions covering the travel and transportation allowances for the movement of house trailers and mobile homes, changing the structure of the section from a single unlettered paragraph to one consisting of five subsections lettered (a) to (e).

1968—Pub. L. 90-246 substituted “74 cents” for “51 cents” as maximum allowable cost-of-transportation mileage rate.

1966—Pub. L. 89-718 substituted “household effects” for “household goods” and “48” for “forty-eight”.

1964—Pub. L. 88-406 substituted “continental United States, within Alaska, or between the continental United States and Alaska” for “United States except in Hawaii or Alaska”, “51 cents” for “36 cents”, inserted “by the United States or” in cl. (2), and defined “continental United States”.

EFFECTIVE DATE OF 1980 AMENDMENT

Section 808(b) of Pub. L. 96-342 provided that: “The amendments made by subsection (a) [amending this section] shall only apply to transportation of house trailers and mobile home dwellings which is completed after September 30, 1980.”

§ 410. Travel and transportation allowances: miscellaneous categories

(a) The following persons are entitled to such travel and transportation allowances provided by section 404 of this title as prescribed by the Secretaries concerned—

- (1) cadets of the United States Military Academy;
- (2) midshipmen of the United States Naval Academy;
- (3) cadets of the United States Air Force Academy;
- (4) cadets of the Coast Guard Academy;
- (5) applicants for enlistment;
- (6) rejected applicants for enlistment;
- (7) general prisoners;
- (8) discharged prisoners;
- (9) insane patients transferred from military hospitals to other hospitals or to their homes; and
- (10) persons discharged from Saint Elizabeths Hospital after transfer from a uniformed service.

(b) The Secretary concerned shall, in prescribing allowances under subsection (a), consider the rights of the United States, as well as those of the persons concerned.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 475; Pub. L. 102-25, title VII, § 702(b)(1), (c), Apr. 6, 1991, 105 Stat. 117.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
410(a)	37:253(e) (less last 25 words).	Oct. 12, 1949, ch. 681, § 303(e), 63 Stat. 815.
410(b)	37:253(e) (last 25 words).	

AMENDMENTS

1991—Subsec. (b). Pub. L. 102-25 struck out “of this section” after “subsection (a)”.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 411. Travel and transportation allowances: administrative provisions

(a) For the administration of sections 404(a), (b), and (d)–(f), 404a, 405, 405a, 406(a)–(f), 407, 409, and 410 of this title, the Secretaries concerned shall prescribe regulations that are, as far as practicable, uniform for all of the uniformed services.

(b) In establishing the rates and kinds of allowances authorized by the sections of this title designated by subsection (a), the Secretaries concerned shall—

- (1) consider the average cost of common carrier transportation when prescribing a monetary allowance in place of transportation;
- (2) consider the current economic data on the cost of subsistence, including lodging and other necessary incidental expenses related thereto, when prescribing per diem rates and designating areas as high cost areas; and
- (3) consider the average cost of transportation and current economic data on the cost of subsistence, including lodging and other necessary incidental expenses relating thereto, when prescribing mileage allowances.

(c) The Secretaries concerned shall determine what constitutes a travel status for the purposes of the sections of this title designated by subsection (a).

(d) The Secretary concerned shall define the term “permanent station” for the purposes of the sections of this title designated by subsection (a). The definition shall include a shore station or the home yard or home port of a vessel to which a member of a uniformed service who is entitled to basic pay may be ordered. An authorized change in the home yard or home port of such a vessel is a change of permanent station.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 476; Pub. L. 89-26, § 1(5), May 22, 1965, 79 Stat. 117; Pub. L. 96-343, § 5(b), Sept. 8, 1980, 94 Stat. 1126; Pub. L. 96-513, title V, § 516(12), Dec. 12, 1980, 94 Stat. 2938; Pub. L. 97-60, title I, § 122(b), Oct. 14, 1981, 95 Stat. 1003; Pub. L. 102-25, title VII, § 702(b)(1), (c), Apr. 6, 1991, 105 Stat. 117.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
411(a)	37:253(h).	Oct. 12, 1949, ch. 681,
411(b)	37:253(f).	§ 303(c) (10th sentence),
411(c)	37:253(g).	(f), (g), (h), 63 Stat. 814.
411(d)	37:253(c) (10th sentence).	

In subsection (a), section 253(h) (provisos) of existing title 37 is omitted, since the regulations to which reference is made have been issued. The exceptions to sections 404(c) and 406(g) are inserted, since the source text for those subsections require regulations prescribed thereunder to be uniform.

In subsections (c) and (d), the words “for the purposes of the sections of this title designated by subsection (a) of this section” are inserted to clarify the coverage of the source statute.

AMENDMENTS

1991—Subsecs. (b) to (d). Pub. L. 102-25 struck out “of this section” after “subsection (a)”.

1981—Subsec. (a). Pub. L. 97-60 inserted reference to section 404a.

1980—Subsec. (b)(1). Pub. L. 96-343, §5(b)(1), substituted “common carrier transportation” for “first-class transportation, including sleeping accommodations,”.

Subsec. (b)(2). Pub. L. 96-343, §5(b)(2), inserted “and designating areas as high cost areas” after “rates”.

Subsec. (b)(3). Pub. L. 96-343, §5(b)(3), substituted “transportation” for “first-class transportation, including sleeping accommodations” and “allowances” for “rates”.

Subsec. (d). Pub. L. 96-513 substituted “term” for “words”.

1965—Subsec. (a). Pub. L. 89-26 inserted reference to section 405a.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-60 effective Apr. 1, 1982, see section 122(c) of Pub. L. 97-60, set out as an Effective Date note under section 404a of this title.

EFFECTIVE DATE OF 1980 AMENDMENTS

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of Title 10, Armed Forces.

Amendment by Pub. L. 96-343 effective with respect to travel and transportation performed after Aug. 31, 1980, see section 5(c) of Pub. L. 96-343, set out as a note under section 404 of this title.

EFFECTIVE DATE OF 1965 AMENDMENT

Amendment by Pub. L. 89-26 effective Feb. 1, 1965, see section 2 of Pub. L. 89-26, as amended, set out as an Effective Date note under section 405a of this title.

§ 411a. Travel and transportation allowances: travel performed in connection with convalescent leave

(a) Under uniform regulations prescribed by the Secretaries concerned, a member of a uniformed service is entitled to travel and transportation allowances for travel from his place of medical treatment in the continental United States to a place selected by him and approved by the Secretary concerned, and return, when the Secretary concerned determines that the member is traveling in connection with authorized leave for convalescence from illness or injury incurred while the member was eligible for the receipt of hostile fire pay under section 310 of this title.

(b) The allowances prescribed under this section may not be at rates more than the rates au-

thorized under section 404(d)(1) of this title. Authorized travel under this section is performed in a duty status.

(Added Pub. L. 90-207, §9(1), Dec. 16, 1967, 81 Stat. 655.)

EFFECTIVE DATE

Section effective Oct. 1, 1967, see section 7 of Pub. L. 90-207, set out as an Effective Date of 1967 Amendment note under section 203 of this title.

§ 411b. Travel and transportation allowances: travel performed in connection with leave between consecutive overseas tours

(a) ALLOWANCES AUTHORIZED.—Under uniform regulations prescribed by the Secretaries concerned, a member of a uniformed service stationed outside the continental United States who is ordered to a consecutive tour of duty at the same duty station or who is ordered to make a change of permanent station to another duty station outside the continental United States may be paid travel and transportation allowances in connection with authorized leave from his last duty station to a place approved by the Secretary concerned and from that place to his designated post of duty. Such allowances may be paid for the member and for the dependents of the member who are authorized to, and do, accompany him at his duty stations.

(b) AUTHORITY TO DEFER TRAVEL; LIMITATIONS.—(1) Under the regulations referred to in subsection (a), a member may defer the travel for which the member is paid travel and transportation allowances under this section until any time before the completion of the consecutive tour at the same duty station or the completion of the tour of duty at the new duty station under the order involved, as the case may be.

(2) If a member is unable to undertake the travel before expiration of the deferral period under paragraph (1) because of duty in connection with a contingency operation, the member may defer the travel until not more than one year after the date on which the member's duty in connection with the contingency operation ends.

(c) LIMITATION ON ALLOWANCE RATE.—The allowances prescribed under this section may not exceed the rate authorized under section 404(d) of this title. Authorized travel under this section is performed in a duty status.

(Added Pub. L. 93-213, §1(1), Dec. 28, 1973, 87 Stat. 910; amended Pub. L. 97-60, title I, §125, Oct. 14, 1981, 95 Stat. 1003; Pub. L. 99-145, title VI, §615(a), Nov. 8, 1985, 99 Stat. 641; Pub. L. 100-26, §8(d)(8), Apr. 21, 1987, 101 Stat. 286; Pub. L. 100-180, div. A, title VI, §614(d)(1), (2), Dec. 4, 1987, 101 Stat. 1095; Pub. L. 102-190, div. A, title VI, §624, Dec. 5, 1991, 105 Stat. 1379; Pub. L. 104-201, div. A, title VI, §623(a), Sept. 23, 1996, 110 Stat. 2548; Pub. L. 107-107, div. A, title VI, §637, Dec. 28, 2001, 115 Stat. 1146; Pub. L. 107-314, div. A, title VI, §§621(a), (b), 654(b)(4), Dec. 2, 2002, 116 Stat. 2570, 2571, 2582.)

AMENDMENTS

2002—Subsec. (a). Pub. L. 107-314, §§621(b)(1), 654(b)(4), inserted heading, struck out par. (1) designation before